

Michael A. Fakhoury, Esq.  
Attorney for Debtor  
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**PRESENTMENT DATE: APRIL 1, 2020**  
**PRESENTMENT TIME: 8:30 A.M.**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
POUGHKEEPSIE DIVISION

-----X  
In Re:

FRANK G. FLORY,

**CHAPTER 13**  
**CASE NO. 19-36964(CGM)**

Debtor.

-----X

**NOTICE OF MOTION TO APPROVE A TRIAL LOAN MODIFICATION**

**PLEASE TAKE NOTICE**, that upon the Affirmation of Michael A. Fakhoury, Esq. of Michael A. Fakhoury, P.C., attorney for the Debtor, FRANK G. FLORY, dated March 4, 2020, a motion will be presented to this Court before the Honorable Cecelia G. Morris, Judge of the United States Bankruptcy Court, U.S. Bankruptcy Courthouse, 355 Main Street, Poughkeepsie, NY 12601, on **April 1, 2020 at 8:30 a.m.** of that day or as soon thereafter as counsel can be heard for entry of an Order

1. Pursuant to General Order #M-364 and the Federal Bankruptcy Rule 9019A approving a settlement reached during loss mitigation.
2. For such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the relief sought herein shall be made in writing, shall state with particularity the grounds therefore, and shall be filed with the Court and served upon and received by the undersigned not later than three (3) days prior to the date of the hearing scheduled herein.

Dated: Fishkill, New York  
March 4, 2020

MICHAEL A. FAKHOURY, P.C

/s/ Michael A. Fakhoury  
Michael A. Fakhoury, Esq.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
POUGHKEEPSIE DIVISION

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In Re:

FRANK G. FLORY,

**CHAPTER 13**  
**CASE NO. 19-36964(CGM)**

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**AFFIRMATION IN SUPPORT OF**  
**MOTION TO APPROVE A TRIAL LOAN MODIFICATION**

STATE OF NEW YORK     )  
                                  ) SS.:  
COUNTY OF DUTCHESS    )

Michael A. Fakhoury, Esq., an attorney duly admitted to practice before the Courts of the State of New York and the United States District and Bankruptcy Courts for the Southern District of New York, affirms the truth of the following under penalties of perjury.

This is an application for the Court's approval of a trial loan modification negotiated within the scope of the Bankruptcy Court.

Frank G. Flory, provided PHH Mortgage ("Bank" or "Creditor") with the appropriate loan modification paperwork and through the efforts of the Bank, Bank's attorney, the Debtor and this Firm, the Debtor has been approved for a trial loan modification for the debtor's mortgage and can afford to make the new monthly payments, which shall commence April 1, 2020, (See Exhibit A), subject to this Court's approval.

The terms of the trial loan modification program are as follows:

1. The new payment (\$2,752.45) is due on the first (1st) day of each month beginning April 1, 2020. The last trial payment is due on June 1, 2020.
2. After all Trial payments are made on time, the mortgage and note agreement will then be reviewed to be permanently modified.

**WHEREFORE**, it is respectfully requested that the Court grant the instant motion approving the trial loan modification and Order that, upon the final trial payment being made, any claim timely filed by Creditor against the Debtor(s) and the Debtor(s)'s estate in this case shall be deemed so that arrears are listed as "0".

Dated: Fishkill, New York  
March 4, 2020

MICHAEL A. FAKHOURY, P.C

/s/Michael A. Fakhoury  
Michael A. Fakhoury, Esq.  
Attorney for Debtor  
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